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 CITY OF CLEARLAKE  
 (erroneously named herein as CLEARLAKE POLICE DEPARTMENT)

IN THE UNITED STATES DISTRICT COURT FOR  
 THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

DAVID DAVIS and PAGE GEARHART-DAVIS  
 PRO-SE,

Plaintiffs,

vs.

CLEARLAKE POLICE DEPARTMENT,

Defendants.

Case No. C 07-03365 EDL

DECLARATION OF OFFICER  
 TIMOTHY HOBBS IN SUPPORT  
 OF DEFENDANT CITY OF  
 CLEARLAKE'S MOTION FOR  
 SUMMARY JUDGMENT, OR IN  
 THE ALTERNATIVE, PARTIAL  
 SUMMARY JUDGMENT

Date: August 12, 2008  
 Time: 9:00 a.m.  
 Courtroom: E, 15th Floor  
 Judge: Hon. Elizabeth D.  
 LaPorte

I, TIMOTHY HOBBS, declare as follows:

1. I have personal knowledge of the following facts, and could and would testify competently thereto if called upon to do so.

2. I am currently employed by the City of Clearlake as an officer in the City of Clearlake Police Department. I have been a City of Clearlake Police Officer since February 24, 2003.

3. On August 3, 2006, at approximately 1:30 a.m., I observed a white Chevrolet Suburban fail to stop at a stop sign and fail to use a turn signal near the intersection of Modoc Street and Sonoma Avenue in Clearlake, California. A dispatch check revealed that the registration on the vehicle had expired. I stopped the vehicle and, as I approached it, noticed that the adult male in the passenger seat

1 was not wearing a seatbelt. I later learned that this individual was plaintiff David Davis, and that his  
2 wife, plaintiff Page Davis, was driving the vehicle. I requested photo identification from Mr. Davis,  
3 which he failed to provide. Accordingly, I handcuffed Mr. Davis and placed him in my patrol vehicle  
4 until his identity could be determined, pursuant to California Vehicle Code § 40302(a). As soon as Mr.  
5 Davis began claiming that he was experiencing breathing difficulties, I radioed Clearlake Police  
6 Department dispatch and requested that medical personnel be dispatched to the scene.

7 I swear under penalty of perjury under the laws of the State of California that the foregoing is  
8 true and correct to the best of my own personal knowledge.

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10 Executed this 5 day of July, 2008, in Clearlake, California.

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13 TIMOTHY HOBBS  
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